



9/30/03

MESSAGE FROM THE HOUSE

SB 395 (McManus)

Partial-birth abortion bill

Senate Bill 395 specifies that a perinate must be considered a legally born person for all legal purposes. The bill defines perinate as a live human being at any point after which any anatomical part of the human being is known to have passed the plane of the vagina.

The House added language providing that a physician would be immune from liability for performing a procedure that results in injury or death of a perinate if the procedure was necessary to: 1) save the life of the mother and every reasonable effort was made to preserve the life of both the mother and the perinate; or 2) avert an imminent threat to the physical health of the mother, and any harm to the perinate was incidental to treating the mother and not a known or intended result of the procedure performed.

Right-to-Life of Michigan, MI Family Forum and MI Catholic Conference all support this bill.

Planned Parenthood, American Civil Liberties Union (ACLU), National Organization for Women (NOW) and Michigan Abortion and Reproductive Rights Action League (MARAL) oppose this bill.

- The Senate concurred with the House changes to SB 395 [RC 432: 25 yes, 11 no]. Immediate Effect was not given to the bill.

FINAL PASSAGE

HBs 4632-33 (Van Regenmorter)

House Bills 4632-33 would increase the penalties for throwing, propelling or dropping an object on a vehicle by enhancing the penalties depending on the damage to the vehicle and/or the injuries to the victim. Currently, the crime of throwing an object at a vehicle is a misdemeanor regardless of the injuries sustained by the driver of the vehicle. Penalties would range from a 93-day misdemeanor to a 15-year felony if the offense causes the death of another person. The Prosecuting Attorneys Association of Michigan (PAAM) supports these bills.

HB 4632:

- Committee 1 (1 amend) was adopted [no RC]. This changed the effective date from 10/1/03 to 1/1/04.
- HB 4632 was moved to 3rd Reading.

HB 4633:

- Committee 1 (1 amend) was adopted [no RC]. This changed the effective date from 10/1/03 to 1/1/04.
- HB 4633 was moved to 3rd Reading.

HB 4715 (Nofs)

House Bill 4715 would allow district court magistrates to use current technology to issue a search warrant by any electronic or electromagnetic means of communication (i.e. facsimile). Currently, a district court magistrate can only issue search warrants in person except in cases involving drunk driving. In drunk driving cases, the magistrate is allowed to use electronic means to issue a warrant. The Prosecuting Attorneys Association of Michigan and the Michigan Supreme Court support this bill.

- HB 4715 was moved to 3rd Reading. No amendments.